

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

DAVID CHUOL, et. al.,

Plaintiffs,

and

FERMIN CORTEZ, et. al.,

Plaintiffs,

v.

NEBRASKA BEEF, LTD.,

Defendant.

Case No. 8:08-cv-00099

Case No. 8:08-cv-00090

**PLAINTIFFS CHUOL AND CORTEZ'S JOINT MOTION FOR
APPOINTMENT OF LEAD COUNSEL**

Plaintiffs David Chuol, *et. al.*, and Fermin Cortez, *et. al.*, by and through their respective counsel, hereby file the following Joint Motion for Appointment of Lead Counsel. In support of this Motion, counsel aver:

1. This Court entered an Order dated June 12, 2008, which consolidated the Chuol and Cortez actions, and required Plaintiffs' counsel to submit either joint or separate motions for the appointment of lead counsel by June 26, 2008.
2. Plaintiffs' counsel for both actions met and conferred, and have settled upon a mutually satisfactory arrangement regarding the appointment of lead counsel.
3. Counsels' arrangement will guarantee effective, zealous and efficient representation of all Plaintiffs and putative class members the consolidated action.
4. Plaintiffs' counsel in both Chuol and Cortez respectfully request that this Court appoint

Shanon J. Carson, Esq. of Berger & Montague P.C., Todd M. Schneider, Esq. of Schneider, Wallace, Cottrell, Brayton, Konecky, L.L.P., and Phillip A. Downey, Esq. as lead plaintiffs' counsel in the consolidated action against Defendant, Nebraska Beef, LTD.

WHEREFORE, the Chuo and Cortez Plaintiffs respectfully request that this Court grant their Joint Motion for the Appointment of Lead Counsel in the consolidated case against Defendant, Nebraska Beef, LTD.

Dated: June 23, 2008

Respectfully submitted,

/s/ Shanon J. Carson

Shanon. J. Carson (admitted pro hac vice)
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, Pennsylvania 19103
Tel: 1-800-424-6690
Fax: (215) 875-4604

Todd M. Schneider (admitted pro hac vice)
Carolyn H. Cottrell (admitted pro hac vice)
W.H. "Hank" Willson, IV (admitted pro hac vice)
SCHNEIDER WALLACE COTTRELL
BRAYTON KONECKY LLP
180 Montgomery Street, Suite 2000
San Francisco, California 94115
Tel: (415) 421-7100
Fax: (415) 421-7105

Philip A. Downey, Esq. (admitted pro hac vice)
P.O. Box 736
Unionville, Pennsylvania 19375
Tel: (610) 324-2848
Fax: (610) 347-1073

Attorneys for Chuol Plaintiffs

/s/Brian P. McCafferty

Brian P. McCafferty, Esq.
KENNY EGAN MCCAFFERTY & YOUNG
3031C Walton Road, Suite 202
Plymouth Meeting, PA 19462
Tel: (610) 940-9099
Fax: (610) 940-0284
cafstar@aol.com

Michael Hamilton, Esq.
PROVOST UMPHREY LAW FIRM, L.L.P.
One Burton Hills Boulevard, Suite 380
Nashville, TN 37215
Tel: (615) 242-0199
Fax: (615) 256-5922
MHamilton@provostumphrey.com

Attorneys for the Cortez Plaintiffs

James R. Welsh, Esq.
WELSH & WELSH
400 Scoular Bldg
2027 Dodge Street
Omaha, NE 68102
Tel: (866) 546-2853
Fax: (402) 384-8211

Local Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I, Shanon J. Carson, hereby certify that a true and correct copy of the foregoing Plaintiffs' Joint Motion for the Appointment of Lead Counsel has been served on the below counsel of record for the Defendant, Nebraska Beef, LTD., in accordance with the Rules of Civil Procedure via the Court's electronic filing CM/ECF system on June 23, 2008.

William M. Lamson, Jr., #12374
William R. Settles, #19879
Brian J. Brislen, #22226
LAMSON, DUGAN and MURRAY, LLP
10306 Regency Parkway Drive
Omaha, NE 68114-3743
Telephone: (402) 397-7300
Telefax: (402) 397-7824
wml@ldmlaw.com
wrs@ldmlaw.com
bjb@ldmlaw.com
ATTORNEYS FOR DEFENDANT
NEBRASKA BEEF

/s/ Shanon J. Carson